761551N25A - SH-AD (11/90)

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

DATE: June 1, 2004

OFFICE CORRESPONDENCE FILE:

FROM: JOHNNY G. JURADO, COMMANDER
LEADERSHIP & TRAINING DIVISION

TO: PATTI A. MINUTELLO, CAPTAIN
SANTA CLARITA VALLEY STATION

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS USE OF FORCE, DECEMBER 20, 2003, REVIEW #2106257**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on December 20, 2003.

The Committee met on May 27, 2004, and consisted of myself and Commanders Kenneth Brazile (Commander of the Department) and Robert Binkley (FOR III). The Committee determined that the use of force by Deputy Robert Hill #[redacted] was within Department policy. **Please advise the deputy of this finding.**

JGJ:KRK:kk

Table of Contents
FO #2106257

SUPERVISOR'S REPORT ON USE OF FORCE

INVESTIGATIVE SUMMARY

EXHIBITS

A - Santa Clarita Incident Report, #503-18602-0631-146.
B - Photographs.
C - Suspect Villegas' Criminal History.

MISCELLANEOUS DOCUMENTS

- Signed Employee Admonition forms.
- Chief's memorandum..
- In-service.
- Incident Details

..

Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 503-18602-0631-146		Date: 12/20/2003	Time: 0430 hours
Location: [redacted] American Beauty Drive, #[redacted] Canyon Country			
City or Station: Santa Clarita Station			
Bureau/Station/Facility: FORI/Santa Clarita		Admin. Investigation: YES ☐ NO ☒	

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Burgess	Richard	G

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	20	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Nagler	Richard		Sgt	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Blake	Kevin	

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Bryski	Tom	

Watch Commander's Signature: ______________________ Emp #: __________

Copy Provided to Employee by: ______________________ Emp #: __________

Supervisor Completing Form: Sgt. Larry Gregg (Print) Emp #: [redacted]

Unit Commanders Signature: ______________________ Emp #: __________ Date Signed: __________

PSTD Use Only

FO# 2106257

Original: Unit Commander
Copy: P.S.T.D.Headquarters, Employee

SH-R-438 Rev. 10/98

See Reverse

Supervisor's Report on Use of Force

URN: 503-18602-0631-146

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives

(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)

(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation

(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage

(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow

(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head

(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE APPLIED ***(Only One Code Per Block)***

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	RS	NN	
E#1	S#1	CT	FR	AR

See Front Side

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE INFORMATION

URN: 503-18602-0631-146

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
[redacted]	Hill	Robert	C

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☒ Male ☐ Female	White	Santa Clarita Station	61

Shift:		Age:	Height:	Weight:
☒ EM ☐ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	6'01"	210

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case #	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☒

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☐ Male ☐ Female			

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☐ Male ☐ Female			

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☐ Male ☐ Female			

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☐ Male ☐ Female			

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☐ Male ☐ Female			

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☐

See Other Side

Supervisor's Report on Use of Force
SUSPECT INFORMATION

URN: 503-18602-0631-146

Suspect Information

S1

Last Name: Villegas		First Name: Seana			Middle Name: Janine	
AKA Last Name:		First Name:			Middle Name:	
Sex: ☐ Male ☒ Female	Race: H	Street Address: [redacted]		City: [redacted]	State & Zip Code: [redacted]	
Work Phone: [redacted]	Home Phone: [redacted]	Age: 21	Height: 4'10"	D.O.B. 12/19/1982	Weight: 85	Armed? ☐
Booking #: 7948-511	Primary Charge: 243(e)(1) PC		Secondary Charge:		Criminal History [redacted]	
Hospital Admission? ☐	Rec'd Treatment At: Henry Mayo Hospital			Coroner Case#:	Mental History ☐	
Under Influence: ☒ YES ☐ NO	Substance: Alcohol		Photos of Suspect's Injuries ☒ YES ☐ NO			

Suspect Interview

Date: 12/20/2003	Time: 0630	Audiotape: ☒	Videotape: ☐

Suspect Information

S_

Last Name		First Name			Middle Name	
AKA Last Name		First Name			Middle Name	
Sex: ☐ Male ☐ Female	Race:	Street Address:		City:	State & Zip Code:	
Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed? ☐
Booking #:	Primary Charge:		Secondary Charge:		Criminal History ☐	
Hospital Admission? ☐	Rec'd Treatment At:			Coroner Case#:	Mental History ☐	
Under Influence: ☐ YES ☐ NO	Substance:		Photos of Suspect's Injuries ☐ YES ☐ NO			

Suspect Interview

Date:	Time:	Audiotape: ☐	Videotape: ☐

Suspect Information

S_

Last Name		First Name			Middle Name	
AKA Last Name		First Name			Middle Name	
Sex: ☐ Male ☐ Female	Race:	Street Address:		City:	State & Zip Code:	
Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed? ☐
Booking #:	Primary Charge:		Secondary Charge:		Criminal History ☐	
Hospital Admission? ☐	Rec'd Treatment At:			Coroner Case#:	Mental History ☐	
Under Influence: ☐ YES ☐ NO	Substance:		Photos of Suspect's Injuries ☐ YES ☐ NO			

Suspect Interview

Date:	Time:	Audiotape: ☐	Videotape: ☐

See Other Side

Supervisor's Report on Use of Force

URN: 503-18602-0631-146

Non-Employee Witnesses (Continuation)

Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.

INVESTIGATIVE SUMMARY

TYPE INCIDENT: Use of Force (Control Hold, fractured arm)
IAB FILE: SH #2106257
URN: 503-18602-0631-146

DATE / TIME / LOCATION

Saturday, December 20, 2003
0430 hours
[redacted] American Beauty Drive, [redacted] Canyon Country 91351

SYNOPSIS

On December 20, 2003, Deputies Robert Hill and Richard Burgess responded to a domestic disturbance call. When they arrived, they contacted the two involved parties. While attempting to detain one of the parties, Suspect Seana Villegas stepped between the deputies and the person they were attempting to detain. Deputy Hill grabbed Suspect Villegas' arms, placing them behind her back. She was then handcuffed. During the ensuing investigation, Suspect Villegas complained of pain to her arm. She was transported to the hospital and diagnosed with a fractured left arm.

Internal Affairs Sergeants Larry Gregg and Larry Landreth responded to Henry Mayo Hospital and conducted a review. Lieutenant Stacy Lee and Office of Independent Review Attorney Steve Connolly were notified of the incident.

INVOLVED PERSONNEL

Hill, Robert, Deputy #[redacted] MW/37 HT 6'01" WT 210 [redacted]

Division: Field Operations Region I
Assignment: Santa Clarita Station, Unit 61
Date of Employment: 05/01/1990
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:

SUSPECT

Villegas, Seana Janine FH/21 HT 4'10" WT 85 Right Handed

Criminal History: [redacted]

None

WITNESSES

Civilians:

[redacted]

Deputies:

Burgess, Robert #[redacted] 

FORCE USED BY DEPUTY PERSONNEL

Deputy Hill

Force: Control Hold

WEAPONS USED BY SUSPECT

Suspect Villegas

Weapon: Resistance

INJURIES

Suspect Villegas received fractured left arm. She was transported to and treated at Henry Mayo Hospital by Doctor Brown. Doctor Brown was interviewed and said the injury was consistent with the force applied. He described the fracture as being spiral and most likely caused when Suspect Villegas' arms were moved behind her back. He said a contributing factor was the small stature of Suspect Villegas.

CRIMINAL CASE INFORMATION

Court:	Newhall
Charges filed:	243 (e) (1) PC - Battery (Domestic Violence)
Next court date::	02/17/2004

LIGHTING AND WEATHER CONDITIONS

The incident occurred inside a partially lit apartment. The deputies and witnesses did not indicate that poor lighting was a factor.

EMPLOYEE STATEMENTS

Deputy Hill was interviewed on December 20, 2004, by Sergeants Larry Gregg at Henry Mayo Hospital. Prior to the interview, Deputy Hill was provided an opportunity to read and sign the Admonition for Force/Shooting Review. The interview was digitally recorded.

Deputy Hill said he responded to the American Beauty Condominiums regarding a family disturbance call. The informant had stated that a male and female were yelling loudly and threats of death were being stated.

Deputy Hill said when he and his partner, Deputy Burgess arrived, he noticed a substance on the second floor landing, and just outside the locations front door of the residence, that was consistent with blood.

Deputy Hill said he knocked on the door and eventually it was opened by Suspect Villegas. Suspect Villegas was obviously drunk and told the deputies they could not enter the location to check on the welfare of the male listed in the call. The male could not be seen through the door but could be heard inside. Suspect Villegas said, "Go the fuck away. You have no right to be here!"

Deputy Hill said he and Deputy Burgess entered the apartment based on what he saw as blood on the landing and the statements of the informant. Inside, Suspect Villegas was continuing to demand they leave.

Deputy Hill said Deputy Burgess looked down the hallway leading to the bedrooms and saw [redacted] Deputy Hill saw one of the bedroom doors off its hinges and laying on the hallway floor. Deputy Burgess proceeded down the hallway to detain [redacted] pending a potential domestic violence investigation. Deputy Burgess ordered [redacted] out of the bedroom he was in. As [redacted] was exiting the bedroom and Deputy Burgess was approaching him, Deputy Hill stood near the doorway to the hallway. He was attempting to calm Suspect Villegas, while watching his partner contac[redacted]o assure no problems occurred there. Deputy Hill's back was turned partially away

from Suspect Villegas, observing her through his peripheral vision. Deputy Burgess was now in the hallway. Suspect Villegas quickly ran past both deputies and attempted to stop Deputy Burgess from contacting [redacted] by placing her arms out to each side, with her hands against the hallway walls. Deputy Hill said he warned Deputy Burgess that she was coming down the hallway. Suspect Villegas was protesting the presence of the deputies and demanding they leave. Deputy Hill said he was concerned because [redacted] had not yet been contacted or searched. He said, "We didn't know what we had. Was he [redacted] the victim or the suspect."

Deputy Hill followed behind Suspect Villegas and told her she needed to get out of the way. She refused, continuing her protestations. Deputy Hill approached her, grabbing both her arms and placed them behind her back. As he did so, he guided her into a bedroom doorway, allowing Deputy Burgess access to [redacted]

Deputy Hill said Immediately after he moved Suspect Villegas into the doorway, she began stating that he had broken her arm. He said he did not initially believe her because he had heard this type of complaint from irate contacts previously. He escorted Suspect Villegas into the living room, where she sat on the couch. Suspect Villegas continued to complaint about her broken arm, showing Deputy Hill her right arm.

IAB NOTE: Suspect Villegas was diagnosed with a fractured left arm.

Deputy Hill contacted his sergeant, via his hand held radio, regarding Suspect Villegas' allegation and requested him to respond to the scene. Other units arrived at the location to provide back up while a domestic violence investigation was conducted. During the investigation, Suspect Villegas continued to yell expletives at the deputies. She was eventually removed from the apartment and placed in a radio car. Suspect Villegas was eventually arrested for Domestic Battery.

Deputy Hill said he was advised by the field sergeant to take Suspect Villegas to the Santa Clarita Station where she would be interviewed regarding her allegation of an injury. En route to the station, Deputy Hill asked if her arm still hurt. Suspect Villegas said it didn't hurt, it was just numb.

Deputy Hill said when they arrived at the station, Deputy Hill removed Suspect Villegas' handcuffs and asked her if she could move her arm. Suspect Villegas said she could not move her arm without pain. Suspect Villegas was transported to Henry mayo Hospital where she was interviewed by the Watch Commander, Lieutenant Bryski.

Deputy Hill said he does not recall doing anything that would have fractured Suspect Villegas' arm. He described his use of force as no more than a firm grasp. He said he was dumbfounded on how the arm was broken. He conjectured that her arm may have possibly been broken by [redacted] during the domestic violence. He said neither [redacted] nor Suspect Villegas made any statements that it occurred that way. Deputy Hill said he never heard Suspect Villegas' arm snap and added that Suspect Villegas is very petite.

SUSPECT STATEMENT

Suspect Seana Villegas was interviewed on December 20, 2003, by IAB Sergeant Larry Gregg at Henry Mayo Hospital. The interview was tape recorded.

Suspect Villegas stated substantially the same as Deputy Hill. She added that when the deputies arrived, she was extremely intoxicated because the night before she had been partying for her 21st birthday. She said the argument between her and [redacted] began when she arrived at his home later than she was expected. The argument continued and [redacted] eventually broke a bedroom door with his head. Suspect Villegas said she told [redacted] she was leaving and would walk to her [redacted] home, which is near [redacted] refused to allow her to leave because of the late hour, 0300 hours. The argument then continued until the deputies arrived.

Suspect Villegas said when the deputies arrived, "I got an attitude. Oh, did I get an attitude." She said she attempted to block the deputies from contacting [redacted] She said a deputy grabbed her by the arm, pulling her into a bedroom. She said she does not recall Deputy Hill twisting or pulling on her arm aggressively. She said she does not know how her arm was broken. She said the deputy did not use any real force against her. She described the deputies as being professional and courteous faced with her belligerent attitude.

Suspect Villegas said there was no previous fracture to her arm.

WITNESS STATEMENT

Deputies:

Deputy Richard Burgess was interviewed on December 20, 2003, by IAB Sergeant Larry Gregg at Henry Mayo Hospital. Prior to the interview, Deputy Burgess was provided an opportunity to read and sign the Admonition for Witness Rights. The interview was tape recorded.

Deputy Burgess stated substantially the same as Deputy Hill. He added that the original call was updated that persons were breaking things in the home. He said when they arrived, he could hear yelling from inside the condominium. He said that when Suspect Villegas opened the door, he explained to her that they needed to check the welfare of everyone inside, based on the circumstances of the call.

Deputy Burgess said when he entered, he checked the hallway and saw a male poke his head out of a bedroom door. The door to one of the bedrooms was off its hinges and laying on the hall floor. Deputy Burgess ordered the male, [redacted] out of the hallway. [redacted] began coming toward him but then stopped. Deputy Burgess entered the hall to contact the [redacted] and detain him during his investigation. Deputy Burgess said he did not know where his partner was during this time, but believed he was in the living room area detaining Suspect Villegas and attempting to calm her, as

her expletives about their presence was continuing.

Deputy Burgess said he began walking down the hallway to contact [redacted] He heard Suspect Villegas screaming from behind him and Deputy Hill warning that she was coming down the hall. Deputy Burgess turned and saw Suspect Villegas coming toward him. She came up behind him and placed her arms across the hallway, blocking him from contacting [redacted] He said he sensed that Deputy Hill was behind Suspect Villegas and was controlling her. He said he believes Suspect Villegas was moved into one of the other bedrooms in the hallway by Deputy Hill.

Deputy Burgess said he removed [redacted] from the hallway, having him kneel on the living room floor. When Suspect Villegas was escorted out of the hallway by Deputy Hill, she complained of pain to her arm. Deputy Burgess handcuffed her. Other deputies arrived at about this same time and searched the remainder of the condominium.

Deputy Burgess said he escorted Suspect Villegas to his radio car. He advised her of her Constitutional rights and explained why they needed to enter the apartment. He said Suspect Villegas became extremely cooperative at this point, apologizing for her tirades, expletives and drunken ways. She did continue to complain about her arm hurting while en route to the station.

Deputy Burgess said paramedics were not called to the scene. He added that he could not believe that Suspect Villegas' arm was broken.

Civilians:

[redacted] was interviewed on February 5, 2004, by IAB Sergeant Larry Gregg via the telephone.

Witness [redacted] stated that he and Suspect Villegas had an argument about her being out late. Suspect Villegas was extremely drunk and eventually the Sheriffs' arrived at his home.

Witness [redacted] described the use of force was substantially the same as other interviews. He added that when Suspect Villegas complained of pain she was told to shut up.

INVESTIGATOR'S OBSERVATIONS

Investigators arrived at the condominium complex several hours after the incident to conduct witness interviews and review the scene. The red substance described by Deputy Hill as possibly blood **(Refer to paragraph 3 of Deputy Hill's statement)** was no longer present on the landing. No accounting for the red streak could be found nor was it mentioned by any witnesses.